

DEPARTMENT OF TRANSPORTATION - District 4 Toll Bridge Program

333 Burma Rd.
Oakland, CA 94607
(510) 286-0538, (510) 286-0550 fax



Kiewit-FCI-Manson, JV
220 Burma Rd.
Oakland, CA 94607

July 17, 2007

Contract No. 04-0120E4
04-SF-80-13.4, 13.8
SAS T1 & E2 Foundations
SFOBB-ESSSP

Attn: Mr. Dan Proctor

Letter No. 05.003.01-003300

Subject: Acknowledgement of Receipt of KFM Transmittals No. 568, Revision No. 00 (Supplemental Notice of Potential Claim #06-062007 -- TBS Welder Trainees)

Dear Dan,

The Department has received Kiewit-FCI-Manson (KFM) Transmittal No. 568, Revision No. 00, dated July 3, 2007, which provided the Contractor's supplemental notice of potential claim (NOPC) No. 06 regarding alleged impacts to Trans Bay Steel Corp. (TBS) steel pipe piling production work performed using unqualified trainee welders due to the Department's rejection of this work.

As stated in Letter No. 3235, the Department reminded KFM in Letter Nos. 2147 and 2955 and in numerous weekly meetings, the contractual requirements pertaining to timely notice of disputes arising under the contract. However, the Contractor did not submit the initial notice of potential claim within the time frame allowed in Section 9-1.04, "Notice of Potential Claim," of the amended Standard Specifications and failed to conform to the specified contractual dispute procedures.

This "Supplemental Notice of Potential Claim #06-062007 -- TBS Welder Trainees", will be filed with no further processing.

If you have any question, please contact this office at (510) 286-0538.

Sincerely,

Pedro J. Sanchez
Resident Engineer

cc: R. Morrow
P. Sanchez
M. Woods
M. Vilcheck

file: 05.003.01, 62.001.06